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Dissemination of information and related activities to support UNCITRAL's work and the use of its texts

Note by the Secretariat

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I. Introduction

1. This Note provides information on certain Secretariat activities to support UNCITRAL's work and texts, namely activities that are undertaken on an ongoing basis, and that complement the events and related activities reported in Technical Cooperation and Assistance (A/CN.9/1032).

2. The Note contains four parts following this introduction. The second part addresses awareness-raising and promotion of the adoption and use of UNCITRAL texts through: (a) UNCITRAL's online presence; (b) UNCITRAL Law Library and publications; (c) responses to requests for information; (d) induction briefings for newly-acceding member States and provision of information on UNCITRAL to other stakeholders; and (e) information lectures in Vienna.

3. The third part addresses ongoing activities to adapt methods of providing technical cooperation and assistance during periods of financial constraint and as a result of the coronavirus disease (COVID-19) pandemic, and to enhance UNCITRAL's online presence. The fourth part sets out fundraising needs for activities to support the adoption and use of UNCITRAL texts. The fifth part reports on the functioning of UNCITRAL's internship programme.

II. Awareness-raising and related activities

4. At its fiftieth session in 2017, the Commission recalled that the dissemination of information concerning international trade law was one of the mandated functions of UNCITRAL and envisaged as a permanent aspect of the work of the Commission.¹ The Secretariat disseminates information on UNCITRAL's mandate and activities, and on UNCITRAL texts through the various media set out below.

A. UNCITRAL website² and social media presence

5. The Secretariat receives regular questions on and requests for information relating to the UNCITRAL website. These queries come in all six United Nations official languages, reflecting the website's significance as a multilingual source of international trade law. Once the Organization's Office of Information and Communications Technology (OICT) has made statistics or a statistic gathering tool available for uncitral.un.org, statistics on the use of the UNCITRAL website (which generates those queries) will be made available to the Commission.

6. UNCITRAL's LinkedIn account now has 17,100 followers, an increase of 11,000 from the previous reporting period. UNCITRAL also has a Facebook account with more than 2,000 followers. In 2019, an UNCITRAL Soundcloud account was created to distribute short audio podcasts. The Secretary of UNCITRAL launched a Twitter account for the signing of the Singapore Convention in August 2019 to disseminate information about events and the work of UNCITRAL. The Twitter account has approximately 300 followers and generates numerous retweets. These media are accessible from the UNCITRAL website.

B. Press releases³

7. The Secretariat issued 21 press releases in the period from May 2019 to May 2020, to mark treaty actions relating to UNCITRAL, when advised of the

¹ *Official Records of the General Assembly, Seventy-first Session, Supplement No. 17/Report of the United Nations Commission on International Trade Law Fiftieth session, 2017, A/72/17*, paras. 435–436.

² uncitral.un.org. For a recent description of the website and its modernization in 2018, see *A/CN.9/980/Rev.1*, paras. 52–54.

³ A description of the Secretariat's approach to the issue of press releases is found in

adoption of an UNCITRAL model law or other relevant text, and to communicate other information of particular importance and direct relevance to UNCITRAL. The Commission may wish to repeat its regular request to States to advise the Secretariat when enacting legislation implementing an UNCITRAL model law or other relevant text.

C. UNCITRAL Law Library⁴

8. In the period from May 2019 to May 2020, library staff responded to approximately 400 reference requests, originating from over 40 countries. Library visitors other than meeting participants, staff and interns included researchers from over 15 countries.

9. Five journal titles and access to three databases formerly in the Library collection are no longer maintained because of the United Nations budget situation, though the Library continues its online public access catalogue (OPAC) jointly with the other United Nations libraries in Vienna.

10. The “Bibliography of recent writings related to the work of UNCITRAL” is available to the Commission (A/CN.9/1019), and monthly updates from the date of the latest annual bibliography and a consolidated bibliography remain available on the UNCITRAL website. As at the date of submission of this Note, the consolidated Bibliography contains 10,860 entries, reproduced in English and in the original language versions.

11. In 2019, issues of the following journals were added to the Library collection: Asian Infrastructure Investment Bank Yearbook of International Law (AIIB), *Zeitschrift für vergleichende Rechtswissenschaft* (Deutscher Fachverlag GmbH), and from the following international non-governmental organizations invited to the Commission’s annual session: ICC Digital Library and INSOL International. Book donations were received from the American Bar Association, Atlanta International Arbitration Society, Beck, Hart Publishing, Edward Elgar, Oxford University Press and Thomson Reuters.

D. General enquiries

12. The rate of general enquiries to the Secretariat remained at approximately 2,000 general enquiries during the period from May 2019 to May 2020, many of which were answered by reference to the UNCITRAL website.

E. Publications⁵

13. The following publications were released, primarily in electronic form, from May 2019 to May 2020: UNCITRAL Legislative Guide on Key Principles of a Business Registry, UNCITRAL Model Law on Recognition and Enforcement of Insolvency-Related Judgments with Guide to Enactment, United Nations Convention on International Settlement Agreements Resulting from Mediation (New York, 2018), UNCITRAL Model Legislative Provisions on Public-Private Partnerships (2020), and UNCITRAL Legislative Guide on Public-Private Partnerships (2020).

[A/CN.9/980/Rev.1](#), paras. 64–65.

⁴ A general description of the Library and its functions is found in [A/CN.9/980/Rev.1](#), paras. 55–60.

⁵ A description of the publications issued by the Secretariat, including UNCITRAL texts and its *Yearbook*, is found in [A/CN.9/980/Rev.1](#), paras. 61–63.

F. Information lectures in Vienna⁶

14. The Secretariat offered nine information lectures from May 2019 to May 2020, to a total of 280 visitors from Austria, Germany, Norway, Slovakia, Slovenia, and the United States of America.

G. Induction briefings and provision of information on UNCITRAL to stakeholders

15. Newly-acceding member States and other stakeholders have requested information and support from the Secretariat to enhance their ability to participate in UNCITRAL's work and to maximize their own benefits therefrom. The Commission has also emphasized the importance of broad and active participation in UNCITRAL's legislative development activities as a significant contributor to the universal acceptability and so success of UNCITRAL texts.⁷

16. Consequently, in order to facilitate active participation and constructive engagement in UNCITRAL's legislative development and to explain the technical cooperation and assistance activities of the Secretariat, the Secretariat has started to convene regular induction and information briefings for member States and other stakeholders. The briefings highlight the legal and policy issues under debate in UNCITRAL in the topics currently before the Commission and its working groups; the advantages of securing the participation of delegates with expertise in relevant subject areas; UNCITRAL's working methods including its consensus-building approach; and Secretariat activities to support both legislative development in UNCITRAL and the adoption and use of its texts.

17. The briefings from May 2019 to May 2020 include: web-based induction briefings with the Dominican Republic (26 June 2019); in-person briefings to representatives of Permanent Missions (for example, to Permanent Missions in Vienna on 17 June 2019, to Ambassadors of African countries in Vienna on 4 September 2019 and to Permanent Missions in New York on 4 February 2020); and a Secretariat mission to Peru (12–13 February 2020).

18. In addition, information on UNCITRAL's work and activities was provided during technical cooperation and assistance activities and activities to raise awareness of Investor-State Dispute Settlement (ISDS) reform in Conakry, Guinea (on 25–26 September 2019) and at meetings with representatives of Permanent Missions in Vienna (for example, with Honduras on 18 September 2019).

III. Enhancing UNCITRAL's online presence to support the adoption and use of its texts

19. In light of the then prevailing circumstances, the Commission called on the Secretariat in 2017 to implement innovative practices to disseminate information on UNCITRAL texts, and thereby to promote their wide adoption and use.⁸ The financial situation of the Organization in October 2019, which required the Secretariat to prioritize its work based on the availability of cash, to limit all official travel to the most essential activities, to postpone meetings and conferences so far as possible,⁹ and the measures taken around the world to contain the COVID-19 pandemic starting

⁶ A description of such lectures is found in [A/CN.9/980/Rev.1](#), para. 67.

⁷ See, for example, *Official Records of the General Assembly, sixty-eighth Session, Supplement No. 17 (A/68/17)*, para. 300; and *Official Records of the General Assembly, Seventy-second Session, Supplement No. 17 (A/72/17)*, para. 264.

⁸ *Official Records of the General Assembly, Seventy-first Session, Supplement No. 17/Report of the United Nations Commission on International Trade Law Fiftieth session, 2017, A/72/17*, paras. 435–436.

⁹ See letter from the Secretary-General to Member States dated 4 October 2019.

in March 2020, have further required the Secretariat to consider how best to continue its awareness-raising activities without, or with severely curtailed, opportunities for travel.

20. Measures taken to address the COVID-19 pandemic have required the postponement of, cancellation of or changes to many planned awareness-raising events since March 2020.¹⁰ The Secretariat has therefore adapted its methods of providing technical cooperation and assistance, including awareness-raising. In addition to replacing in-person participation with remote participation in previously planned events to allow for UNCITRAL's presence so far as possible, the Secretariat is seeking to enhance its online presence. The objective is to create a repository of online information in various media that can serve to raise awareness of UNCITRAL, its texts and how they are developed and adopted, and to support the active participation of States in UNCITRAL's work.

E-learning via the UNCITRAL website

21. The Secretariat, with organizational partners and with the financial support of the Government of China,¹¹ is preparing an online training programme (e-learning programme), primarily aimed at representatives of permanent missions, prospective UNCITRAL delegates, and government officials dealing with UNCITRAL matters and that may request technical assistance and capacity-building activities. Other potential users may be participants in those activities and technical contributors and researchers and practitioners with a general interest in UNCITRAL.

22. The intention is to support technical assistance activities of the Secretariat, such as face-to-face training, by engaging learners that cannot attend those activities (e.g. workshops, conferences etc.). It will thus allow the Secretariat to reach a wider target audience than hitherto, and will also offer the opportunity to enhance the effectiveness and efficiency of face-to-face activities, for example where it is appropriate to require participants to have completed an online component before attending a face-to-face activity.

23. The programme will be structured around self-paced courses, without the concurrent input of a tutor. It will be free of charge, but participants will need to register for statistical purposes, in order to monitor course implementation and to receive a certificate of completion.

24. The initial modules of the programme will address UNCITRAL and its operations generally, including the contribution of legal standards to facilitating international trade; the role of UNCITRAL as a main legal body and the core United Nations legal body in the field of international trade law; the methods of work in UNCITRAL meetings; and ways to interface with the UNCITRAL secretariat. Subsequent modules will be grouped by UNCITRAL subject areas, starting with international commercial arbitration and mediation, an area generating significant interest from potential participants.

25. A Learning Management System (LMS) compatible with organizational standards will provide for the administration and delivery of the programme, but it will not be hosted directly on the UNCITRAL website for technical reasons.

26. It is anticipated that the initial modules will be available in the autumn of 2020, in English and Chinese, with other language versions shortly thereafter.

Additional web-based tools to disseminate information

27. The Secretariat is also developing interactive approaches to support effective implementation, and to promote uniform understanding, of key provisions in UNCITRAL texts through designing web-based seminars and issuing podcasts to

¹⁰ Further details are set out in A/CN.9/1032, paras. 70 and 81.

¹¹ The support was provided under a Memorandum of Understanding with the Ministry of Commerce of China, concluded on 7 August 2019.

explain implementation issues, common issues of interpretation and UNCITRAL's practice guidelines for government officials, judges and legal practitioners. For example, the Secretariat issued a podcast with an introduction to the process of negotiating UNCITRAL texts in their multilateral context, using the examples of the UNCITRAL Rules on Transparency and the Mauritius Convention on Transparency,¹² updating listeners on their current status, and explaining the development and operation of the Transparency Registry. Subsequent podcasts will address the way forward for the Transparency Registry, and key aspects of the Mauritius Convention and its application. The first podcast was issued on 29 April 2020, and as at 6 May 2020, had generated over 500 listeners.

28. In addition, the Secretariat is to provide more information on technical cooperation and assistance activities on its website. In providing the additional information, the Secretariat has taken into consideration issues of interest to visitors to the UNCITRAL website, and areas commonly raised in queries and requests for information submitted to the Secretariat, particularly those from newly-acceding member States. The information will be addressed to government representatives, associations of legal practitioners and other professional groups, individuals in academia, civil society organizations and individual practitioners, as well as delegates to sessions of the Commission and its working groups.

29. The nature of queries to the UNCITRAL Secretariat also indicates that many potential users of UNCITRAL texts are unfamiliar with the UNCITRAL mandate, its working methods (and in particular whether they can take part in UNCITRAL sessions), the scope and nature of UNCITRAL texts, and how to access further information on UNCITRAL texts and the Secretariat's provision of technical cooperation and assistance.

30. The "Frequently Asked Questions (FAQs)" and answers already available on the UNCITRAL website provide much of the information concerned. The prominence of this information on the website will therefore be enhanced. Additional information on UNCITRAL texts in the form of a short introduction to each UNCITRAL subject area or UNCITRAL text, reflecting the legal obstacles and law reform needs that UNCITRAL texts in this area are designed to address, relevant Sustainable Development Goals, the main policy approaches reflected in the texts themselves, and other appropriate contextual information will be included on the website.¹³

31. Additional and practically-focused information on the Secretariat's technical cooperation and assistance activities, including on how to seek support from the Secretariat, will also be included. It will be complemented by links from the discussion of technical cooperation and assistance to online materials available elsewhere on the UNCITRAL website, notably to CLOUT, the Digests of case law, and to the Library and Research resources. The additional information is anticipated to be available in all official languages in the autumn of 2020.

Organizing and participating in online events

32. Since measures to address the COVID-19 pandemic were introduced, the Secretariat has co-organized, co-sponsored or participated as a speaker in videoconferences and webinars, including:

(a) WGIII online briefing session for the Asia Pacific region co-hosted by the Republic of Korea Ministry of Justice and UNCITRAL Regional Centre for Asia and the Pacific (RCAP) on 9 April 2020;

(b) The St. Petersburg International Legal Forum 9 ½: Rule of Corona, on 10–12 April 2020;

¹² UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration and the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (New York, 2014), respectively.

¹³ These introductions are expected to be posted in all six official languages in the autumn of 2020.

(c) A webinar on “Arbitration in India: The Good, the Bad and the Ugly” organized by the UNCITRAL National Coordination Committee, India (UNCCI) and Manav Rachna University and supported by UNCITRAL RCAP, on 2 May 2020;

(d) A webinar entitled “Voices of women in arbitration in the time of COVID-19”, organized by Women Way in Arbitration, on 7 May 2020; and

(e) A webinar entitled “E-documents: Ramifications of COVID-19”, organized by the International Chamber of Commerce, on 7 May 2020.

33. Participation in web-based activities and webinars is intended to draw the attention of all potential users of UNCITRAL texts to the information set out in paragraph 28 above, and to hear experience in the use of UNCITRAL texts in current circumstances that will be provided to the Commission, as appropriate.

34. When organizing such events, the Secretariat has followed the pattern of and tools used during the webinars it has organized to seek consultations on issues before the Commission and its Working Groups (as set out in its Note to the Commission on the Work programme of the Commission),¹⁴ and experience gained in co-organizing regional intersessional meetings addressing Investor-State Dispute Settlement reform (such as that in Conakry, Guinea, referred to in paragraph 18 above). It will build on this experience to plan and organize webinars to continue its technical cooperation and assistance activities as appropriate and so long as necessary.

Impact of COVID-19 on flagship events: CISG@40

35. Events planned to celebrate the 40th anniversary of the United Nations Convention on Contracts for the International Sale of Goods (CISG@40) have been severely curtailed by COVID-19. Several in-person events have been rescheduled later in 2020 or in 2021, and additional online events are being scheduled, including some that will address COVID-19 related issues. CISG@40 will accordingly be reprofiled, with a greater online presence for 2020, and more events than originally planned in 2021. Announcements of activities and events are posted on the CISG@40 webpage (<https://uncitral.un.org/en/cisg40>). States and organizations are invited to express to the Secretariat their interest in contributing to the CISG@40 initiative.

IV. Resources and funding

36. Activities to support the adoption and use of UNCITRAL texts are resource-intensive, and meeting the demand for them exceeds the financial and human resources available through the Organization’s Regular Budget. This lack of funding requires the Secretariat to raise extrabudgetary funds and secure additional financial and human resources to provide for the delivery of support activities.¹⁵

37. The funds raised take various forms: in-kind contributions to support and fund travel for awareness-raising, technical assistance and capacity-building purposes; contributions to UNCITRAL Trust Funds; and States’ provision of Junior Professional Officers to support Secretariat staff (while expanding their own knowledge of international trade law).

38. As the Technical Cooperation and Assistance Note explains,¹⁶ the Secretariat seeks to maximize efficiency in the delivery of the eponymous activities, including through organizing activities involving travel at the lowest cost and with co-funding and cost-sharing whenever possible. However, despite these efforts and active fund-raising by the Secretariat, the balances in UNCITRAL’s Trust Funds remain insufficient to meet the full demand for support activities.

¹⁴ A/CN.9/1016, para. 7.

¹⁵ For a discussion of the need for such funding, and approaches to secure it, see [A/CN.9/980/Rev.1](#), paras. 74–87.

¹⁶ A/CN.9/1032, paras. 73–74.

39. The Commission may therefore wish to renew its regular appeals for extrabudgetary funding,¹⁷ in particular for multi-year and specific-purpose contributions that would enable effective strategic planning and would enhance the Secretariat's ability to meet the increasing demand for technical assistance and capacity-building on the use of UNCITRAL texts, particularly requests from developing countries and countries with economies in transition, and to continue to enhance its online presence as described above.

A. Trust Fund for UNCITRAL Symposia¹⁸

40. The UNCITRAL Trust Fund for Symposia finances the participation of UNCITRAL staff or other experts at seminars and other events that consider commercial law reform needs and the adoption and use of relevant UNCITRAL texts. Its objective is to support members of the legal community in developing countries.

41. The released budget for 2019 for the Trust Fund for UNCITRAL Symposia amounted to US\$ 313,513 and the total expenditure in 2019 was US\$ 118,704.

42. During the year from July 2019 to date, the following additional funds were received:

(a) US\$ 200,000 from the Government of China under a Memorandum of Understanding with the United Nations;¹⁹

(b) US\$ 11,148 from the Government of France;

(c) US\$ 20,000 from the Government of Indonesia; and

(d) US\$ 19,549 from the Government of the Republic of Korea.²⁰

B. Trust fund to grant travel assistance to developing countries that are members of UNCITRAL²¹

43. A further trust fund to grant travel assistance to developing countries that are members of UNCITRAL is open to voluntary financial contributions from States, intergovernmental organizations, regional economic integration organizations, national institutions and non-governmental organizations, as well as to natural and juridical persons.

44. During the year from July 2019 to date, the following additional funds were received:

(a) US\$ 1,112 from the Government of Austria;

(b) US\$ 16,692 from the Government of France;

(c) Financial support for the participation of developing countries at UNCITRAL Working Group III from the European Union, the Swiss Agency for Development and Cooperation (SDC), and contributions in kind for the same purpose from the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) by appointment of the German Federal Ministry for Economic Cooperation and Development. These resources supported the participation of delegates from: Argentina, Bolivia (Plurinational State of), Burkina Faso, Central African Republic, Chile, Colombia, Costa Rica, Democratic Republic of the Congo, Ecuador, Gabon,

¹⁷ See, for example, *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 260.

¹⁸ For a fuller description and history, see [A/CN.9/980/Rev.1](#), paras. 77–81.

¹⁹ Further details of the partnership with China are set out in [A/CN.9/1032](#), para. 11.

²⁰ To support Secretariat participation in the Asia-Pacific Economic Cooperation Ease of Doing Business (EoDB) Project (see [A/CN.9/1032](#), para. 64).

²¹ For a fuller description and history of the Fund, see [A/CN.9/980/Rev.1](#), paras. 82–87.

Guinea, Iran (Islamic Republic of), Kenya, Kyrgyzstan, Lesotho, Mali, Myanmar, Namibia, Nigeria, Paraguay, Senegal and Uruguay.

(d) Financial support and contributions in kind from the European Union, France and GIZ for participation in the Third Inter-sessional Regional meeting on ISDS reform in Conakry (25–26 September 2019) and to raise awareness on Working Group III discussions.²²

V. Internship programme²³

45. Between June 2019 and June 2020, 22 interns undertook an internship with the UNCITRAL Secretariat in Vienna, and a total of 13 interns took up internships in the UNCITRAL RCAP during the same period. Following measures taken to mitigate the COVID-19 pandemic, internships were postponed or cancelled as from March 2020.

46. The internship programme's demographic pattern continues as previously reported, with an under-representation of candidates from African and Latin American States, and of candidates with fluent Arabic language skills. The Commission may wish to repeat its earlier calls for States and observer organizations to raise awareness of UNCITRAL's internship programme, and for States and observer organizations to consider granting scholarships to support those most qualified for an internship at UNCITRAL, particularly from under-represented regions.²⁴

²² Ibid., para. 85.

²³ Further details of the programme are set out in [A/CN.9/980/Rev.1](#), paras. 88–93.

²⁴ See, for example, *Official Records of the General Assembly, Seventy-first Session, Supplement No. 17 (A/74/17)*, annex II, para. 260.